

109TH CONGRESS  
1ST SESSION

# S. RES. 260

Calling for free and fair parliamentary elections in the Republic of Azerbaijan.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2005

Mr. BIDEN (for himself, Mr. MCCAIN, Mr. HAGEL, Mr. LUGAR, and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on Foreign Relations

OCTOBER 20, 2005

Committee discharged; considered and agreed to

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## RESOLUTION

Calling for free and fair parliamentary elections in the  
Republic of Azerbaijan.

Whereas the Republic of Azerbaijan is scheduled to hold elections for its parliament, the Milli Majlis, in November 2005;

Whereas Azerbaijan has enjoyed a strong relationship with the United States since its independence from the former Soviet Union in 1991;

Whereas international observers monitoring Azerbaijan's October 2003 presidential election found that the pre-election, election day, and post-election environments fell short of international standards;

Whereas the International Election Observation Mission (IEOM) in Baku, Azerbaijan, deployed by the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe, found that there were numerous instances of violence by both members of the opposition and government forces;

Whereas the international election observers also found inequality and irregularities in campaign and election conditions, including intimidation against opposition supporters, restrictions on political rallies by opposition candidates, and voting fraud;

Whereas Azerbaijan freely accepted a series of commitments on democracy, human rights, and the rule of law when that country joined the OSCE as a participating State in 1992;

Whereas, following the 2003 presidential election, the Council of Europe adopted Resolution 1358 (2004) demanding that the Government of Azerbaijan immediately implement a series of steps that included the release of political prisoners, investigation of election fraud, and the creation of public service television to allow all political parties to better communicate with the people of Azerbaijan;

Whereas, since the 2003 presidential election, the Government of Azerbaijan has taken some positive steps by releasing some political prisoners and working to create public service television;

Whereas the United States supports the promotion of democracy and transparent, free, and fair elections consistent with the commitments of Azerbaijan as a participating State of the OSCE;

Whereas the United States is working with the Government of Azerbaijan, the political opposition, civil society, the OSCE, the Council of Europe, and other countries to strengthen the electoral process of Azerbaijan through diplomatic efforts and non-partisan assistance programs, including support for international and domestic election observers, voter education and election information initiatives, training for candidates and political parties, and training for judges and lawyers on the adjudication of election disputes;

Whereas the Government of the United States has awarded a contract to conduct exit polling throughout Azerbaijan;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and opportunity to exercise their civil and political rights, free from intimidation, undue influence, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties; and

Whereas the establishment of a transparent, free and fair election process for the 2005 parliamentary elections is an important step in Azerbaijan's progress toward full integration into the democratic community of nations: Now, therefore, be it

1        *Resolved*, That the Senate—

1           (1) calls on the Government of the Republic of  
2           Azerbaijan to hold orderly, peaceful, and free and  
3           fair parliamentary elections in November 2005 in  
4           order to ensure the long-term growth and stability of  
5           the country;

6           (2) calls upon the Government of Azerbaijan to  
7           guarantee the full participation of opposition parties  
8           in the upcoming elections, including members of op-  
9           position parties arrested in the months leading up to  
10          the November 2005 parliamentary elections;

11          (3) calls upon the opposition parties to fully  
12          and peacefully participate in the November 2005  
13          parliamentary elections, and calls upon the Govern-  
14          ment of Azerbaijan to create the conditions for the  
15          participation on equal grounds of all viable can-  
16          didates;

17          (4) believes it is critical that the November  
18          2005 parliamentary elections be viewed by the peo-  
19          ple of Azerbaijan as free and fair, and that all sides  
20          refrain from violence during the campaign, on elec-  
21          tion day, and following the election;

22          (5) calls upon the Government of Azerbaijan to  
23          guarantee election monitors from the Office for  
24          Democratic Institutions and Human Rights of the  
25          Organization for Security and Cooperation in Eu-

1       rope (OSCE), Azeri political parties, representatives  
2       of candidates, nongovernmental organizations, and  
3       other private institutions and organizations, both  
4       foreign and domestic, unimpeded access to all as-  
5       pects of the election process;

6               (6) supports recommendations made by the  
7       Council of Europe on amendments to the Unified  
8       Election Code of Azerbaijan, specifically to ensure  
9       equitable representation of opposition and pro-gov-  
10      ernment forces in all election commissions;

11              (7) urges the international community and do-  
12      mestic nongovernmental organizations to provide a  
13      sufficient number of election observers to ensure  
14      credible monitoring and reporting of the November  
15      2005 parliamentary elections;

16              (8) recognizes the need for the establishment of  
17      an independent media and assurances by the Gov-  
18      ernment of Azerbaijan that freedom of the press will  
19      be guaranteed; and

20              (9) calls upon the Government of Azerbaijan to  
21      guarantee freedom of speech and freedom of assem-  
22      bly.

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